

**POLICY 3.52 (40) ESTABLISHING RISK LEVEL FOR YOUTH WHO
HAVE SEXUALLY OFFENDED**

Policy Committee Chair

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Approved



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Authorizing Sources

RCW 4.24.550
RCW 4.24.5501
RCW 13.40.217
RCW 72.09.345
DSHS Administrative Policy 8.06

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I. PURPOSE AND SCOPE

This document establishes expectations for meeting the mandatory sex offender risk level classification requirements for youth who have sexually offended prior to the planned release, authorized leave or transfer to a minimum security facility.

All staff, contractors, volunteers, and interns working in the Division of Juvenile Institution Programs, Division of Community Programs and Parole, and the Division of Operations and Support Services are responsible for reviewing and complying with JR policies.

II. POLICY

1. JR will assess youth that have sexually offended to assist in determining their risk level classification.

1.1. JR Sex Offender Treatment Coordinators (YSOTC) will make an initial determination of a youth's risk level classification within 30 days of intake.

1.1.1. If a youth scores as a Risk Level III, the YSOTC will present the youth at the Risk Level Classification Committee (RLCC) no later than 60 days from the initial determination.

1.1.2. Youth who are eligible for civil commitment review will be handled in accordance with Policy 3.51 (37), *Reviewing Youth for Civil Commitment*.

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- 1.2. Within 60 days prior to release, the YSOTC will update the initial determination:
 - 1.2.1. In conjunction with completing law enforcement notification requirements outlined in Policy 1.80 (9), *Notifying the Community of Youth Placement, Transfer or Release*, prior to an offender's discharge, parole, authorized leave, or other planned release from a residential facility; and
 - 1.2.2. Prior to an offender's transfer to a minimum security facility; and
 - 1.2.3. For Interstate Compact youth supervised by JR for a sex offense in accordance with Policy 6.60 (19), *Accessing Interstate Compact Services*.
2. **As a formal subcommittee of the Department of Corrections End of Sentence Review Committee (ESRC) in accordance with RCW 72.09.345, the JR Risk Level Classification Committee will follow the standards for conducting the risk level review process and for necessary documentation in accordance with the Department of Corrections ESRC "Rules of Order".**
 - 2.1. The JR YSO Program Administrator will chair the RLCC.
3. **JR will collaborate with other DSHS administrations, the Department of Corrections, and the Indeterminate Sentence Review Board to maintain a consistent approach to sex offender risk assessment and risk level classification in relation to law enforcement notification.**
4. **JR will use the Washington State Sex Offender Risk Level Classification assessment tool to determine the risk level classification for youth that have sexually offended. The WSSORLC has been authorized by JR in collaboration with the End of Sentence Review Committee.**
5. **The Risk Level Classification Committee must review and approve risk level classification recommendations for youth that have sexually offended.**
 - 5.1. RLCC reviews must occur prior to:
 - 5.1.1. Issuing a Notification of Sex Offender Release form (DSHS Form 09-747A) for the discharge, parole, authorized leave, or other planned release of a youth that has sexually reoffended from a residential facility; or
 - 5.1.2. Transfer of a youth that has sexually offended to a minimum security facility.
 - 5.2. The risk level classification review will be documented in the Automated Client Tracking System (ACT).
 - 5.3. Superintendents, Regional Administrators, or designees must ensure the authorized sex offender risk level classification tool is completed and prepared for RLCC review and approval.
 - 5.4. If a youth has been assigned a risk level classification on a previous commitment, the previous risk level tool and classification will be reviewed to determine if a change in classification level is needed.

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- 5.5. If a youth was classified as a risk level 2 or 3 on the risk level tool more than a year before their release, the case may be reviewed by the JR YSO Program Administrator to determine if the case should be referred back to the RLCC for review.
- 5.6. Any youth who engages in behavior that may impact their risk to sexually reoffend or which may affect level mitigation or aggravation will be referred back to the RLCC for review.
- 5.7. Any youth who receives changes in their risk level tool that are significant enough to warrant a level change will be referred back to the RLCC for review.
- 6. Risk level classifications determined by the RLCC are utilized for management of the YSO population.**
 - 6.1. Youth that have sexually offended who have been classified by JR as a Risk Level III are not eligible for authorized leave (per Policy 6.40 (8), *Managing Authorized Leave or Community Involvement Passes*) or transfer to minimum security facilities.
 - 6.2. Length of parole services are provided in accordance with Risk Level. Refer to Parole Standard 5.
- 7. JR must provide narrative notices to law enforcement prior to the discharge, parole, authorized leave, or other planned release of a youth that has sexually offended from a residential facility or transfer to a minimum security facility. This is outlined in Policy 1.80 (9), *Notifying the Community of Youth Placement, Transfer or Release*.**
 - 7.1. Narrative notices will be included on the "Notification of Sex Offender Release".
 - 7.2. Narrative notices must include a description of the physical identity, criminal history and offense behavior, and risk level classification of the youth that has sexually offended.
 - 7.3. Narrative notices must explain the reasons for the classification, including any mitigating or aggravating factors impacting the assigned risk level.
- 8. Upon request and consistent with Policy 1.40 (29), *Maintaining Confidentiality when Releasing Records*, JR will provide law enforcement with documentation regarding offense specific behavior from the offender's case file.**
- 9. Upon request, designated JR staff may participate in local risk level classification committees conducted by law enforcement for collaboration and communication.**
 - 9.1. Members who participate on local committees will abstain from voting on cases related to active JR youth.

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III. DEFINITIONS

Law Enforcement: The chief of police of the city, tribal law enforcement agency if applicable, and the sheriff of the county in which the sex offender will reside.

Risk level I: indicates a low risk of sexual re-offense within the community at large.

Risk level II: indicates a moderate risk of sexual re-offense within the community at large.

Risk level III: indicates a high risk of sexual re-offense within the community at large.

Risk Level Classification Committee (RLCC): An interagency subcommittee of the State's End of Sentence Review Committee (ESRC) assigned to review and approve the risk level classification recommendations for youth that have sexually offended.

Sex Offense: A crime defined by RCW 9.94A.030 or 9A.44.128.

Youth that has Sexually Offended (YSO): A youth whose current term of incarceration includes a sex offense or who has a criminal history of a prior sex offense.

Youthful Sex Offender Treatment Coordinators (YSOTC):

Washington State Sex Offender Risk Level Classification (WSSORLC): The tool utilized by JR and the Risk Level Classification Committee for assessing risk for sexual re-offense.

IV. REFERENCES

DOC End of Sentence Review Committee, Rules of Order JR Parole Standard 5

V. RELATED JR POLICIES

Policy 1.40 (29) – Maintaining Confidentiality
when Releasing Records

Policy 6.60 (19) – Accessing Interstate Compact
Services


Policy 1.80 (9) - Notifying the Community of
Youth Placement, Transfer or
Release

Policy 6.40 (8) – Managing Authorized Leave or
Community Involvement
Passes

Policy 3.51 (37) – Reviewing Youth for Civil
Commitment

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VI. FORMS AND DOCUMENTS

| Document Title | Available In ACT | Link to Paper form |
|--|---|--|
| Notification of Sex Offender Release |  | DSHS form 09-747A |
| Washington State Sex Offender Risk Level Classification (WSSORLC) tool | | SOST Tool |
| WSSORLC tool scoring instructions | | SOST Tool Instructions |
